

REMARKS

The Examiner, Mr. Shaawat, is thanked for the courtesy extended applicants attorney during the telephone interview of October 1, 2007 wherein applicants attempted to get clarification concerning the Examiner's comments concerning features not recited in the claims, as pointed out by the Examiner in the first two paragraphs of page 7 of the Office Action. The Examiner appeared to indicate that upon reciting such features while pointing out the basis therefore in the specification, consideration would be given.

More particularly, the Examiner, in the Office Action, pointed out that the feature of "each electronic component sending power consumption individually" was not recited in the claims, and the undersigned attorney advised that applicants would amend the independent claims to recite such feature. The Examiner, however, noted that Sakakibara, while disclosing a system in which plural appliances were connected to a unit which provided an output of an integrated power consumption for the individual appliances to a service providing company, Sakakibara at column 11, lines 25 - 27 indicates that the apparatus was applicable to a single unit of a equipment, and in this case, the Examiner contended that information of electric power consumed for the single appliance would be sent individually. In light of this position by the Examiner, dependent claims have been amended to recite the feature that at least one of the different individual contractors rents a plurality of respective information electric appliances which send data for each information electric appliance individually to the rent managing server. Applicants submit that such feature as now set forth in dependent claims 22, 25 and 34 are contrary to the Examiner's interpretation and the disclosure of Sakakibara. Further, it is apparent that such recited features should be considered at this time, since the features are directed to issues recognized by the Examiner.

Additionally, with regard to the Examiner's indication that to "provide an electric appliance renting system capable of reducing life cycle cost of an appliance (e.g., 31, 32, 33)

such as the initial cost required for purchase of the appliance, the work cost and the scrapping, or disposal cost”, is not recited in the claims, by the present amendment, each of the independent claims 21, 24 and 32 has been amended to recite the feature of “wherein the information electric appliance renting system enables a reduction of life cycle cost of respective information electric appliances in accordance with the data sent”, with dependent claims 23, 26 and 33 being amended to recite the feature that the data sent includes information other than electric power consumed relating to at least one of manufacture and use of the at least one information electric appliance including at least one of initial cost required for purchase of the appliance, or cost, and scrapping or disposal cost so as to enable reduction of the life cycle cost thereof, as described in the specification at page 3, line 24 to page 5, line 14, for example. As apparently recognized by the Examiner, Sakakibara provides no disclosure or teaching of a system enabling reduction of life cycle cost of an appliance and hereagain such features should be considered at this time since the features are directed to issues recognized by the Examiner.

With regard to the objection to claims 21, 24 and 32 since language such as “comprising” is not utilized in the claims, applicants note that by the present amendment, claims 21 and 24 have been amended to recite the information electric appliance renting system comprising, and applicants further note that claim 32 also recites the term “comprising”. Thus, the objection to such claims should now be overcome.

As to the rejection of claims 21 - 43 under 35 USC 103(a) as being unpatentable over Sakakibara (US Patent No. 6,476,728) in view of Official Notice, this rejection is traversed insofar as it is applicable to the present claims.

At the outset, while the Examiner contends that Sakakibara teaches an information electric appliance renting system in which a service providing company rents to each of the plurality of different individual contractors at least one information electric appliance based

upon contracts between the service providing company and the plurality of different individual contractors and enables receipt from the rent managing server of data relating to rent due to the service providing company by the different individual contractors based upon the contract for each information electric appliance, applicants submit that Sakakibara does not disclose or teach renting information electric appliances and obtaining data relating to "rent due, based upon the contract between the service providing company and the different individual contractors, which rent due includes a portion relating to consumed electric power for each information electric appliance individually." Sakakibara only provides an output regarding electric power consumed, and does not disclose or teach data relating to rent for an appliance, which rent includes a portion attributable to electric power consumed. Thus, applicants submit that all claims patentably distinguish over Sakakibara in the sense of 35 USC 103.

While the Examiner attempts to take Official Notice that a service providing company-receiving rent from a plurality of contractors or a third-party/middle-man collecting fees for services offered in paying the electric power company is well known and old in the art, applicants challenge the taking of "Official Notice" and request the Examiner to cite art relating to the features, as defined, including renting electric appliances, determining the electric power consumed thereby and paying a rental fee which includes a power consumption fee.

In accordance with the present invention, as recited in each of the independent claims, the information electric appliance renting system enables a reduction of life cycle cost of respective information electric appliances in accordance with the data sent. As described in the specification, the rental fee takes into consideration the initial purchase cost, maintenance and scrapping or disposal cost and by obtaining the information on a regular basis in accordance with the data sent, the life cycle costs can be reduced in the manner described,

noting that Fig. 3 provides a flow diagram wherein such information and costs are taken into account. Thus, applicants submit that each of the independent claims 21, 24 and 32 which recite the aforementioned features patentably distinguish over Sakakibara whether or not Official Notice can be properly considered.

With respect to dependent claims, as pointed out above, dependent claims 22, 25 and 35 have been amended to recite the feature that at least one of the different individual contractors rents a plurality of respective information electric appliances which send data for each information electric appliance individually to the rent managing server. As recognized by the Examiner, while Sakakibara discloses a plurality of electric appliances connected to the unit 21, as illustrated in Fig. 2 of such patent, such unit measures an amount of power consumed by all of the electric equipment connected thereto, stores it as an integrated amount of power consumption, and then reports the integrated amount of power consumption to an outside company or organization. Assuming arguendo, that only a single electric equipment is coupled to the unit, and in accordance with the Examiner's position, the amount of power consumed of the appliance would be individually sent, it is contrary to the disclosure and teaching of Sakakibara to have a plurality of information electric appliances sending data for each information electric appliance individually to the rent managing server, as recited. Thus, applicants submit that these dependent claims further patentably distinguish over Sakakibara whether or not Official Notice is properly taken.

Additionally, by the present amendment, dependent claims 23, 26 and 33 have been amended to recite the feature that the data sent includes information other than electric power consumed relating to at least one of manufacture and use of the at least one information electric appliance including at least one of initial cost required for purchase of the appliance, work cost, and scrapping or disposal cost so as to enable reduction of the life cycle cost thereof. As pointed out above, Sakakibara, with or without Official Notice properly taken,

provides no disclosure or teaching concerning reduction of the life cycle cost of the appliance in accordance with the data sent, and in particular, provides no disclosure or teaching of data relating to manufacture or use of the electric appliance cost including at least one of individual cost required for purchase of the appliance, work cost, and scrapping or disposal cost so as to enable reduction of life cycle. Thus, these dependent claims recite features which further patentably distinguish over Sakakibara with or without Official Notice.

Additionally, applicants note that claims 42 and 43, for example, recite the feature of carrying out a judgment of abnormality of the at least one information electric appliance and for judging on a basis of a judgment result whether or not maintenance needs to be carried out and means for generating a running pattern on a basis of the data sent from the information electric appliance to compare a total cost up to a scrapping processing with a total cost up to a scrapping processing of an information electric appliance which is replaceable so as to execute a judgment of replacement. Such features relate to the reduction of life cycle cost of the appliance which is not disclosed or taught in the cited art.

Applicants submit that the independent claims 21, 24 and 32, as amended, recite features not disclosed or taught in the cited art and the dependent claims recite further features not disclosed or taught in the cited art, as discussed above, such that applicants submit that all claims patentably distinguish over the cited art and should now be in condition for allowance. Accordingly, issuance of an action of favorable nature is courteously solicited.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper,

including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 500.40416X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

/Melvin Kraus/ M/K
Melvin Kraus
Registration No. 22,466

MK/jla
(703) 312-6600